UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

RELATED CASE ORDER

An Order of Referral has been filed requesting the undersigned determine whether the following cases are related within the meaning of Civil L.R. 3-12(a):

C 07-0112 MMC Hicks v. Schafer C 08-4960 MMC Hicks v. Schafer

ORDER

On the basis of the material submitted to the Court, as the Judge assigned to the earliest filed case, I find that the cases:

[] ARE NOT RELATED as defined by Civil L.R. 3-12(a).

[X] **ARE RELATED** as defined by Civil L.R. 3-12(a). Pursuant to Civil L.R. 3-12(f)(3), the Clerk of Court is ordered to reassign the later-filed action to the undersigned. The parties are instructed that all future filings in the later-filed action are to bear the initials **MMC** immediately after the case number. All matters presently scheduled for hearing in the reassigned case are vacated and must be renoticed for hearing before the undersigned.

DATED: November 18, 2008

United States District Judge